



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: May 9, 2006 – 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: John J. Ostrosky, Chairman
Patricia M. Banks
Kenneth F. Polito

Absent: Robert Jacques, Vice-Chairman
Dorbert Thomas, Clerk

Also Present: Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission approved the Minutes of February 21, 2006, as submitted.

2. Signed bills.

3. Meetings and Hearings – 7:05 P.M.

285-** Continued – Public Hearing regarding the Notice of Intent filed by Luis and Kathryn Torres for the construction of a swimming pool at 45 Ireta Road**

Attending the hearing was Luis Torres – the homeowner; and Leslie Ann Sugrue – from L.A. Associates. Ms. Sugrue said she has done a scaled plan as requested.

Mr. Ostrosky asked about the bench marks; Ms. Sugrue showed them. She said she and the pool builder did this plan; it was not done by a surveyor.

Ms. Sugrue said they decided to change the style and shape of the pool, as well as the direction of the pool; and stated the closest point of the pool to the wetland area is about 25 feet.

The Commission felt maybe the pool could be pulled over about five feet more and be totally out by maybe removing or moving the shed.

Mr. Ostrosky said they really do need to see some elevation to be able to see grading. There was much discussion about getting an accurate plan showing the accuracy of the plan that was presented. Commission said they wanted the following:

- 1) contour lines on the plan;
- 2) plan should be P.E. or PLS stamped.

Mr. Ostrosky continued the hearing to June 20, 2006.

285-** Continued – Public Hearing regarding the Notice of Intent filed by Brendon Properties, LLC for the construction of a 17 duplex building condominium project located at 59 Cherry Street and 658 Boston Turnpike**

Attending the hearing were Kevin and Brendon Giblin – the developers; Charlie MacGregor – the project manager; Attorney Marshall Gould – representing the developers; and Andrew Liston – the engineer from Thompson & Liston Associates, Inc.

Mr. Liston listed some of the changes:

- 1) Building #9 was moved as suggested by Commission at the last meeting;
- 2) replication information on Sheet D-6;
- 3) detention basin information.

Mr. Liston submitted phasing sequencing letter and then reviewed it. He commented that the biggest cut and work is near Building #9 area. He said they will put in permanent basins, etc., at the time of the initial site work.

Mr. Liston said they have more aggressive plans in place to keep the site stabilized. Mr. Liston said according to the Planning Board regs, this is a one phase project. There was discussion as to how this work will get done.

Mr. Polito asked of the 12.7 acres, how much will be open at one time. Mr. Liston thought about 30%-40% and Mr. Giblin said 8-9 acres at one time.

Mr. Polito asked how much excavation – Mr. Liston said most can be crushed and the larger boulders could be used for rip-rap.

Mr. Polito expressed concern of the site being open all at once. Mr. Liston said they would want to do things, such as doing all the blasting at once, etc. Mr. Polito continued to express his concern.

Mr. Giblin further explained what their process would be. He spent some time talking about the work they did to clean up the site after the heavy rains at Adams Farm I in October 2005; and commented that mistakes were made that won't happen with this one. He said he felt the work could be done during the summer months when it should be drier.

Mr. MacGregor submitted pictures showing the controls they are using now at Adams Farm I.

Mr. Polito asked if there would be an engineer monitoring out there; Mr. Giblin said Mr. Tetreault would be out there again, as he is for Adams Farm I, and he would do the same reporting.

Mr. Stone said he felt there should be a meeting with the Town Engineer, Town Planner, himself, Brendon Properties, and Thompson & Liston, so everyone ends up with the same phasing plan.

Mr. Ostrosky continued the hearing to June 20, 2006.

285-** Continued – Public Hearing regarding the Notice of Intent filed by Dean Handley for the demolition of two single family homes and construction of three single family homes with associated site work at 101 North Quinsigamond Avenue**

Attending the hearing were Dean Handley – the developer, and Carl Hultgren – an engineer from Quinn Engineering.

Mr. Hultgren said they did the following:

- 1) stabilization and sequencing;
- 2) had an arborist look at the trees in the lake.

Mr. Hultgren reviewed the plan showing the stabilization areas and the proposed sequencing of the project. He also said they are waiting for the report from the arborist. He requested that once they receive the report, they be allowed to do work accordingly to the report. Mr. Handley explained these trees are going to be a problem – walls are being pushed over; so he wants to take these trees down; and stated it was for liability reasons. He commented that the arborist said there are no roots right now.

Mr. Ostrosky officially closed the hearing.

285-1394 Continued – Public Hearing regarding the Notice of Intent filed by Anne Zettek-Sumner for the reconstruction of a retaining wall at 97-99 North Quinsigamond Avenue

Attending the hearing was Anne Zettek-Sumner – the homeowner. She said she wants to reconstruct her retaining wall at the same time as the work is being done at 101 North Quinsigamond Avenue (the above hearing). Ms. Zettek-Sumner said she felt the tree would have to go.

The Commission also noted that there is concern that the sewer line is right there.

Mr. Ostrosky officially closed the hearing.

285-1380 Continued – Public Hearing regarding the Request for an Amended Order of Conditions for the construction of a swimming pool at 34 Blackthorn Road

Attending the hearing was Carl Hultgren – an engineer from Quinn Engineering. He requested a continuance to June 20, 2006.

Mr. Ostrosky continued the hearing to June 20, 2006.

285-** Continued – Public Hearing regarding the Notice of Intent filed by N.E. Financial Management Corporation for the construction of a residential subdivision at 132-134 Old Mill Road**

Attending the hearing were Jessica Venincasa – the developer; and Glenn Krevosky – the wetlands engineer. Mr. Krevosky said the sequence plan was submitted to Engineering about 1-1/2 weeks ago, but because of the confusion with notification to abutters, Mr. Stone may not have had time to review it.

Mr. Krevosky showed the drainage system. He also commented that the road would be constructed first. He said this hearing is still with the Planning Board, and the only issue was they didn't have the plans in hand in time for review, and they have been delivered to the members by the developer.

Mr. Krevosky said the waiver filed with MEPA for septic/sewer is still outstanding, and MEPA is waiting for this hearing to close, and stated this will be the outstanding item. He said if they don't get the waiver they would have to come back with a new filing.

Mr. Ostrosky officially closed the hearing.

285-** Continued – Public Hearing regarding the Notice of Intent filed by M.R. Real Estate for the construction of a single family home at 46-48 Everett Avenue**

Mr. Ostrosky announced that this hearing is postponed, by request of the developer, to June 20, 2006.

285-** Public Hearing regarding the Notice of Intent filed by Denis Brown for the construction of a deck at 25 Bay View Drive**

Attending the hearing was Denis Brown – the homeowner. Mr. Brown said he spoke with a horticulturist about plantings.

Mr. Ostrosky said for the last filing, one of the concerns was having such a large deck; it would be shading some of the plantings. Mr. Brown said they have a list for plants/trees that do well in shade; and he listed these.

Mr. Ostrosky said as long as the plants will thrive and stabilize the slope, these plants would be fine.

Mr. Ostrosky officially closed the hearing.

285-** Public Hearing regarding the Notice of Intent filed by the Town of Shrewsbury Floral Street School for the construction of a boardwalk at 57 Floral Street**

Attending the hearing was Kara Franchian, 602 Grafton Street, a teacher at Floral Street School.

Ms. Franchian said the trail is done – from the year 2000 filing, but they ran out of time to do the boardwalk (old filing DEP #285-1028).

Mr. Stone asked if DEP had been notified for this filing, and Ms. Franchian said she wasn't sure.

Mr. Stone commented that this hearing could be closed and if there were any DEP comments, it could be reopened.

The Commission praised Ms. Franchian's efforts for this project at Floral Street School.

Mr. Ostrosky officially closed the hearing.

RDA Public Meeting regarding the Request for Determination filed by Thomas Esip for the construction of a retaining wall at 73 Bay View Drive

Attending the hearing was Tom and Judy Esip, the homeowners.

Mr. Esip submitted photos that showed that whoever did the wall previously did not do it correctly, so now the wall is falling down. He said they want to fix it. He said they want to use timber, and stones will be used for backing.

The Commission voted a negative determination with the condition that silt fencing will be used for erosion control during construction.

Mr. Ostrosky officially closed the hearing.

285-1377 Discussion regarding 8 Sheryl Drive

Attending the hearing was Mark Kablack – the engineer from M.A. Kablack & Associates, P.C.; and Ann Marton – from LEC Environmental Consultants.

Mr. Kablack gave some history of the site. He said they have done an alternative design, and he presented it.

Ms. Marton submitted a new sketch, and listed some of the changes:

- 1) shifted house away;
- 2) smaller floor plan;
- 3) 1 car garage;
- 4) 15-foot no disturbance zone;
- 5) driveway grade change so impact to wetland is less;
- 6) distances from wetlands: 20.6 feet for the garage; 24.4 feet for the house; and 22 feet for the deck.

Mrs. Banks said there have been significant changes and there is minimal filling; but commented that maybe the lot is not buildable.

Mr. Polito commented that there is more buffer, and they have made significant changes.

Mr. Ostrosky commented he felt the same; and also felt in thinking if they go to appeal, it could be approved for the larger original house. He said he did tend to be in support of this new plan.

Mr. Kablack said they are looking for input as to how the Commission feels about the new plan.

Mr. Stone said the 15-foot no-build zone is typical of a lot of towns, which they have presented. He also said the 15-foot distance to wetlands is typical of other towns. He commented that he feels D.E.P. could issue a superceding because of how other towns view the buffer and distance to wetlands.

Mr. Ostrosky took a poll: Mrs. Banks, Mr. Polito, and Mr. Ostrosky all said they would support this, as presented, with revisions.

Mr. Ostrosky closed the discussion.

4. New Business

a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability

285-****	45 Ireta Road – continued
285-****	59 Cherry Street & 658 Boston Turnpike–Adams Farm II – continued
285-****	101 North Quinsigamond Avenue – conditionally approved
285-1394	97-99 North Quinsigamond Avenue – conditionally approved
285-1380	34 Blackthorn Road – continued
285-1392	108 Reservoir Street – conditionally approved
285-1390	18 Woodhead Road – conditionally approved
285-****	132-134 Old Mill Road – conditionally approved
285-****	46-48 Everett Avenue – continued
285-****	25 Bay View Drive – conditionally approved
285-****	57 Floral Street, Floral Street School – conditionally approved
RDA	73 Bay View Drive – negative determination

5. Old Business

a. Discussed/Signed Certificates of Compliance

285-1057	20 Stonybrook Lane
285-959	5 Woodchuck Hill Road
285-1236	Stonybrook Farm Wetlands Replication (near Weagle Farm Road)
285-1023	Stonybrook Farm Wetlands Replication (near Woodchuck Hill Road)
285-887	Stonybrook Farm II
285-750	Stonybrook Farm

Mr. Stone said, regarding the above Certificates of Compliance for Stonybrook Farm, that he was waiting for reports from Peter Bemis – the engineer from Engineering Design Consultants, which he received on this date.

285-588	3 Arbor Drive
285-245	6 Deer Run Drive
285-1136	Southwoods Subdivision

6. Correspondence

7. Miscellaneous

- a) Mr. Stone said he looked into the question of who can vote on a project when a member is absent. He said he found in a court case about a year ago, that a member who had been absent during continued hearings could not vote; but he said he will look into this again after the comments from tonight.
- b) Mr. Polito said the trout stocking was completed on April 19, 2006. He said the ponds that were stocked were the pond at Hills Farm Subdivision and the Old Mill pond. He said they tried to stock Lake Quinsigamond at the Donald J. Gauch Conservation and Recreation Area, but it was too crowded.
- c) Mr. Stone said, for the public's information, anyone who wants to do a repair in the lake should contact Mr. Stone first.

The meeting adjourned at 9:40 P.M.

Respectfully Submitted,

Annette W. Rebovich